

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:18-cv-00197-RJC-DSC

THIS MATTER is before the Court on Defendant Exxon Mobil Corporation’s (“Defendant”) Motion to Dismiss Plaintiffs’ Fraudulent Concealment Claim, (Doc. No. 53), and the parties’ associated briefs and exhibits, (Doc. Nos. 54, 68); the Memorandum and Recommendation (“M&R”) of the United States Magistrate Judge, (Doc. No. 81), recommending that the Court deny Defendant’s Motion; Defendant’s Objections to the M&R, (Doc. No. 85); and Plaintiffs’ Response in Opposition to Defendant’s Objections, (Doc. No. 86).

After an independent review of the M&R, Defendant's Objections thereto,¹

¹ The Court notes that Defendant's Objection to the M&R was essentially a regurgitation of arguments it previously asserted in its brief, (Doc. No. 54),

and a de novo review of the record, the Court concludes that the recommendation to deny Defendant's Motion to Dismiss Plaintiffs' Fraudulent Concealment Claim is correct and in accordance with law. For the reasons stated in the M&R as well as Plaintiffs' briefs, the findings and conclusions of the Magistrate Judge are **ADOPTED** and Defendant's Motion to Dismiss Plaintiffs' Fraudulent Concealment Claim is **DENIED**.

IT IS THEREFORE ORDERED THAT:

- (1) The Magistrate Judge's M&R, (Doc. No. 81), is **ADOPTED**; and
- (2) Defendant's Motion to Dismiss Plaintiffs' Fraudulent Concealment Claim, (Doc. No. 53), is **DENIED**.

Signed: March 4, 2019



Robert J. Conrad, Jr.
United States District Judge


accompanying its Motion to Dismiss Plaintiffs' Fraudulent Concealment Claim. Therefore, the Court already considered the arguments raised in Defendant's Objections and found them unpersuasive. Defendant seems to only dispute the suggested outcome of the M&R: denying its Motion. Filing objections such as these frustrates the purpose of the initial reference of the Motion to the Magistrate Judge. Nevertheless, the Court has conducted a de novo review of the M&R.